

# HALL FINGERPRINT QUIZ FOR EDITOR

## Payne Under Fire On Handling of Minister's Card

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ing the watchman, was Case's intention by the question.

Simpson then probed into Miss Tough's movements from the time she left the home of a Mrs. Anthony at 199 Easton Ave., at 8.15, until she arrived at the Hall home at 10.

Once again the maid was hesitant.

"I was riding," she said.

"With whom?"

A. Do I have to answer that.

Q. Yes. A. It was Archie Cooper.

Q. Where is he now? A. I don't know, and I don't care.

Simpson then dropped this line of attack. It seemed he had been delving into the old report that Miss Tough, from the Parker home, in De Russey's Lane, telephoned Mrs. Hall of her husband's presence with Mrs. Mills in the lane.

Simpson asked the maid if it didn't appear unusual to her to enter the house at 10 o'clock with Dr. Hall, Mrs. Hall and Willie all out and the library lights on.

### Not Unusual

Case objected, bitterly protesting there was no evidence that Mrs. Hall and Willie were out at that time. Simpson retorted that John S. Dickson and his wife had placed Willie out of the home at 9 and that



Gov. A. H. Moore Judge Cleary

Miss Tough had said she saw neither when she entered.

Justice Parker allowed the question.

The maid declared it was not unusual, but could not give Simpson the date of any other Thursday night when the library lights were brilliantly lighted.

The witness got away from the prosecutor and bore out the defense's contention that the fact she saw nobody meant nothing.

"I didn't go into their bedrooms any time looking to see if they were in," she snapped, adding that she had often come in on her night out and saw nobody, only to find next day they had been in bed.

### Switches to Gossip

Simpson switched to the Guild girls' gossip of the love affair.

Q. Did you ever hear them gossiping about Dr. Hall's friendliness

## Tells of Gossip



BARBARA TOUGH

for any other married woman in the church? A. No.

A few feet away Mrs. Hall dropped her head as Simpson sought further to attack her husband's morality.

Philip A. Payne, managing editor of the Mirror, followed Miss Tough on the stand.

The Mirror has been active in the Hall-Mills prosecution. Payne himself was present at the Hall home the night of Mrs. Hall's unexpected arrest.

Payne's paper turned over to Simpson the calling card which the state claims has Willie's prints. Payne, a stocky little man in the late thirties, is slightly deaf.

Simpson questioned him. Q. Are you the editor of the Mirror? A. Yes.

Q. Were you editor of the Daily News before that? A. Yes.

### Saw Card in Newark

Q. Did you ever see this card before? A. Yes; in Newark.

It was the calling card which the state contends bears the fingerprints of Willie Stevens.

The defense claims there were many opportunities for the card to be tampered with.

Q. Who had it? A. Capt. Schwartz.

Case objected he could not hear Payne's replies. Simpson told him the witness was deaf.

Q. Is this card in the same condition now that it was in Newark? A. As far as I can see, yes.

Q. When did you get the card? A. From Schwartz in a hotel near the Robert Treat.

Q. Did you give Schwartz anything of a financial consideration? A. No; nothing.

The defense, under cross-examination, had unsuccessfully tried to have Schwartz admit that the Mirror paid him \$10,000 for the card.

McCarte took over the witness.

Q. When previous to receiving the card, did you see Schwartz?

A. Two or three times, ten days previous.

### Knew He Worked on Case

Q. By appointment? A. Yes; made through one of my men.

Q. How did you learn he had the card? A. I knew he had worked on the case.

Here Payne handed the spectators a laugh when he confessed, though he had lived in Jersey twenty-one years, he could not describe the difference in directions between Broad and Market Streets in Newark.

Q. Where did you meet Schwartz on these occasions? A. I think it was the St. Frances Hotel.

Q. Why didn't you meet him at his office? A. You'd better ask him.

McCarte brought out that Payne's series of negotiations with Schwartz dated since June 15.

Q. Why did you meet him? A. To talk about this card.

Q. Had you seen the card at these meetings? A. I did not.

### Card Given Him in Taxi

Q. Where was the card given to you? At the St. Frances Hotel? A. I did not actually receive



Harry Walsh Mayor F. Hague

it at the hotel. I got it in a taxi-cab after we left the hotel.

Q. You say you gave Schwartz nothing whatever for the card? Payne was silent. McCarte asked why he did not reply.

"Because I can think before I answer, just as you can think after I answer."

Simpson interjected Payne might have given Schwartz a speech or an afternoon's entertainment.

Payne wore his best courtroom manner, very cool and collected, under McCarte's pounding. He yawned at appropriate times, leaned back casually and snapped at his questioner when the occasion seemed to demand it. A veteran of the Earl Carroll trial, the newspaper editor was an old hand at fencing with high-priced lawyers.

"I told Schwartz that if he could help clean up this crime he would be doing a service for the state of New Jersey," Payne said, leaning forward in the stand and enjoying McCarte's discomfiture. "That was the only remuneration he received."

### Farley With Him

Q. Was anybody with you at that time? A. Yes, Mr. Farley of my office.

Q. How many visits were there between the first and last visits? A. Approximately three. Is this arithmetic or a trial? There were four, including the last.

## One of the "Girls"



MRS. MARIE DEMAREST

Q. Did you go from New York or Hudson county? A. From New York.

Q. You are not a fingerprint expert? A. No, I probably know about as much as you about it.

### "My Man Mayer"

Q. After you got that card did you suggest sending it to Mr. Faurot in Middletown? A. My man Mayer went there. I sent him.

Q. You commanded? A. I did not command—I am not the Queen of Rumania—I merely told him to go.

Q. Where had the card been between the time you got it and the time it was sent to Mr. Faurot? A. In a steel filing cabinet in my office. I had the key. It was wrapped in wax paper.

Payne was fighting back at his elderly interrogator sharply. He assured McCarte the calling card was carefully protected while in his office. The defense seeks to create the opposite impression.

Q. Had you met Faurot before you sent Mr. Mayer to Middletown? A. No, I may have met him casually.

Q. How did you know he was in Middletown? A. One of my reporters went to his house and found that out.

### Saw Fingerprints

Q. You saw the fingerprints taken when William Stevens was arrested before you sent the card to Middletown? A. No, I did not see them until the day Faurot and Drenen came back.

Q. You photographed this card the day you got it in Newark? A. Yes.

Q. Who suggested taking enlargements? A. I did, myself. They were merely for newspaper reproduction.

Q. Why didn't you publish the card before August 27? A. I don't always publish photographs immediately.

McCarte showed Payne a copy of the Mirror dated August 27.

Q. You say you directed Mr. Mayer to take the card to Faurot? Did you also tell him to take the official fingerprints? A. You have again misquoted me. I told Mr. Mayer to go to Middletown. I did not tell him to take the card.

### Exchange Words

Q. Did you know the fingerprints had been taken? A. Yes.

Here Payne and McCarte crossed swords verbally.

"Your function is not to criticize me," McCarte blustered.

"And your function is not to criticize me, either."

Q. How did you expect the fingerprint to get to Middletown?

Simpson objected, while Payne wanted to reply.

"I can answer that, if you'll let me," the witness remarked.

Then it was brought out that the card went to Middletown in police custody, and that Mayer went along to write a story.

"Your honor, this man said he had the card under lock and key in his office," McCarte began.

Q. You did expect the official fingerprint card to go to Middletown? A. I had never seen it.

Q. Did you compose the printing under this picture—Willie's prints—in the Mirror? A. I directed it, but did not write the captions myself.

### Tipped Off on Plans

Q. Do you remember the arrest of Mrs. Hall? A. Yes.

Q. Between 11 and 12 o'clock the evening of July 28, you were present at the arrest? A. Yes.

Q. How did you know police officers were to go to her house and



James Mills Henry Carpenter

arrest her? A. The police told me so.

Q. Who? A. Capt. Walsh, and I think, Sergt. Burke.

Q. They are both Jersey City officers? A. Yes.

McCarte was to some extent getting to the jury the impression he apparently desired—namely, that persons holding no official position had access to records in the case and valuable exhibits. That these persons knew of police action in advance.

Q. Were you not present in Somerville when the warrant was issued by the presiding magistrate? A. Yes.

Q. Who told you an application for a warrant would be made? A. Capt. Walsh.

Q. How did you happen to be

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## OUR EAST SIDE GANG—

## Turning Professional

## By Louis G. Ferstadt

